IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN

AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. Civil Second Appeal No.404 Of 2000

Durga Prasad Vs. Nagar Palika Tizara & Others.

Date Of Order ::: 19.12.2006.

Hon'ble Mr. Narendra Kumar Jain J.

Mr. R.K. Mathur, Counsel for plaintiff-appellant

By the Court :

Heard learned counsel for the plaintiff-appellant.

The plaintiff-appellant filed a suit for permanent injunction in respect of the disputed property in the Lower Court, which was dismissed. The judgment and decree passed by the Lower Court has been affirmed by the First Appellate Court also.

I have heard the learned counsel for the plaintiff-appellant and after considering his submission in the light of the judgment and decree passed by both the Court below, I find that the controversial issues involved in the present case are

relating to the question of facts and there is a concurrent finding of fact by both the Courts below, which cannot be interfered with by this Court in second appeal under Section 100 of the C.P.C.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed at the admission stage itself with no order as to costs.

(Narendra Kumar Jain) J.